



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

August 9, 2023

VIA ECF & E-MAIL

Hon. Katherine Polk Failla
United States District Judge
United States District Court
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: *Ali, et ano., v. Shampaine, et ano.*, No. 23 Civ. 4770 (KPF)

Dear Judge Failla:

This Office represents the government in this action seeking relief under the Administrative Procedure Act and the Mandamus Act for an alleged unreasonable delay in connection with a visa application. On behalf of the government, I write respectfully to request a sixty-day extension of the time to respond to the complaint (*i.e.*, from August 11 to October 10, 2023). In addition, I respectfully request that the initial pretrial conference presently scheduled for September 28, 2023, be adjourned to a day during the week of December 4, 2023, or thereafter, with a corresponding extension of the deadline for the preconference submissions. *See* ECF No. 5.

According to the records of the State Department, the applicant's case currently is refused under INA section 221(g). The State Department expects further developments in connection with this matter within the next few weeks that may inform how the parties proceed in this litigation. Thus, the requested extension will allow time for the parties to assess the status of this case if and when any such developments occur. This is the government's first request for an extension of the deadline to respond to the complaint and an adjournment of the initial pretrial conference. Plaintiff consents to these requests.

I thank the Court for its consideration of this letter.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By: s/ Joseph A. Pantoja
JOSEPH A. PANTOJA
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
Telephone: (212) 637-2785
E-mail: joseph.pantoja@usdoj.gov
Attorney for Defendants

cc: Counsel of record (via ECF)

Application GRANTED. Defendants' deadline to respond to the complaint is hereby ADJOURNED to **October 10, 2023**. Additionally, the initial pretrial conference currently scheduled for September 28, 2023, is hereby ADJOURNED to **December 5, 2023, at 12:00 p.m.**, and the parties' pre-conference submissions are accordingly adjourned to Thursday, November 30, 2023.

The Clerk of Court is directed to terminate the pending motion at docket number 12.

Dated: August 9, 2023
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE